IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.27687 of 2008
BHUI MALAKAR
Versus
STATE OF BIHAR
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3. 23.09.2008 Heard learned Counsel for the petitioner and learned Counsel appearing on behalf of the State.

The petitioner is an accused of a case which has been registered under Sections 364/34 of the Indian Penal Code on 09.03.2004. Later on Sections 302 and 201 of the Indian Penal Code was added. The case is of kidnapping of the informant's father by named accused persons. Beside the petitioner Akhilesh Das is also named.

Submission is that there is no trace of murder of the informant's father. Nobody has seen the occurrence of murder. The deceased himself was a notorious criminal of the locality. Co-accused Akhilesh Das has been granted bail by this Court in Cr. Misc. No. 14292 of 2006 vide order dated 13.07.2006. There is no explanation as to why the victim has left his house on 02.03.2004 and the case was reported on 09.03.2004.

Considering the facts and circumstances of the case, the petitioner Bhui Malakar is ordered to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya in connection with Buniyadganj P.S. Case No. 16/2004.

kksinha/ **(Shyam Kishore Sharma, J.)**

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